

CITY UTILITIES COMMITTEE

MINUTES

JANUARY 13, 2011

The regularly scheduled meeting of the City Utilities Committee was rescheduled to **Thursday, January 13, 2011 10:12 a.m.**, in Committee Room #2. The following members were present:

The Honorable Natalyn M. Archibong, Chair
The Honorable H. Lamar Willis
The Honorable C. T. Martin
The Honorable Yolanda Adrean
The Honorable Howard Shook
The Honorable Carla Smith

The following member was absent:

The Honorable Aaron Watson

Others present at the meeting were: M. Theresa Stewart, Stephanie Grant and Renee Sheperd, Law Department; Deputy Commissioner Jim Beard, Department of Watershed Management; Rita Braswell, Department of Public Works; Keith Brooks, Office of Procurement; Deputy Chief of Staff Katrina Taylor, Office of the Mayor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:12 a.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

B. ELECTION OF VICE-CHAIR – Councilmember Archibong asked that the election of the Vice-Chair be held as its next meeting.

C. ORDINANCES FOR SECOND READING

- 10-O-1979 (1) An Ordinance by Councilmembers C. T. Martin, Michael J. Bond, Ivory L. Young, Jr., Kwanza Hall, Natalyn M. Archibong, Cleta Winslow, Carla Smith, Keisha Lance Bottoms and Joyce Sheperd to rename Cone Street, NW to Xernona Clayton Way, NW to waive Sections 138-8(b)(5)c and 138-8(h) of the Code of Ordinances of the City of Atlanta, Georgia; to waive conflicting ordinances; and for other purposes. **(Public Hearing held 11/30/10) (Referred back by Council 1/3/11)**
(Councilmember Adrean made a motion to file.)
FILE

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ORDINANCES FOR SECOND READING (CONT'D)

- 10-O-1981 (2) An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean **as amended by City Utilities Committee** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John Portman Boulevard, NW; and for other purposes. **(Public Hearing Held 11/30/10) (Referred back by Council 1/3/11)**
(Councilmember Archibong made a motion to hold. Councilmember Shook made a substitute motion to file, the motion to file, failed.)

HELD

- 10-O-2238 (3) An Ordinance by City Utilities Committee to correct transposed numbers in the Fund, Department Organization and Account ("FDOA") Number and the Project Task Award Expenditure and Organization ("PTAEAO") Number in Ordinance 10-O-1822 adopted by the Atlanta City Council on November 15, 2010 and approved by the Mayor on November 24, 2010; and for other purposes.
(Councilmember Adrean made a motion to approve.)

FAVORABLE

- 11-O-0080 (4) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes.
(Councilmember Martin made a motion to hold.)

HELD

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D. RESOLUTIONS

- 10-R-2126 (1) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Stack/NAPM, LLC, a Joint Venture, for FC-4757, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$14,578,251.74; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes. **(Referred back by Council 1/3/11)**
(Councilmember Martin made a motion to hold.)

HELD

- 11-R-0006 (2) A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2, for FC-4866, Removal of Canadian Geese with Atlanta Animal Evictions on behalf of the Department of Watershed Management in an amount not to exceed \$33,820.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 11-R-0007 (3) A Resolution by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to BGR, JV, for FC-4906C, Annual Contract for Architectural and Engineering Services, for the South Area Consolidation Study, on behalf of the Department of Watershed Management in an amount not to exceed \$398,748.00; all contracted work to be charged to and paid from Fund, Department Organization and Account Number and PTAEAO Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

**FAVORABLE (4 YEAS) ARCHIBONG, MARTIN, WILLIS,
SMITH (1 NAY) SHOOK (1 ABSTENTION) ADREAN**

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RESOLUTIONS (CONT'D)

- 11-R-0008 (4) A Resolution by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to BGR, JV, for FC-4906C, Annual Contract for Architectural and Engineering Services, Construction Management Services for Wastewater Treatment Facilities, on behalf of the Department of Watershed Management in an amount not to exceed \$758,392.00; all contracted work to be charged to and paid from Fund, Department Organization and Account Number and PTAEAO Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE (1 ABSTENTION) ADREAN

- 11-R-0077 (5) A Resolution by Councilmember Carla Smith **as substituted by City Utilities Committee** authorizing the Mayor or his designee to enter into an appropriate contractual agreement with Republic Services of Georgia, LLP for FC-5035B, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works and the Department of Watershed Management based on unit prices in an amount not exceed \$5,504,000.00. All contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

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RESOLUTIONS (CONT'D)

- 11-R-0078 (6) A Resolution by Councilmember Carla Smith **as substituted by City Utilities Committee** authorizing the Mayor or his designee to enter into an appropriate contractual agreement with Waste Management of Atlanta, Inc, for FC-5035A, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works and the Department of Watershed Management based on unit prices in an amount not exceed \$3,446,716.00; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

- 11-R-0079 (7) A Resolution by Councilmember Carla Smith **as substituted by City Utilities Committee** authorizing the Mayor or his designee to enter into an appropriate contractual agreement with Advanced Disposal Services of Atlanta, LLC, for FC-5035C, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works and the Department of Watershed Management based on unit prices in an amount not exceed \$674,108.00; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

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RESOLUTIONS (CONT'D)

- 11-R-0083 (8) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson and Joyce Sheperd **as substituted by City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 4 with CP Richards Construction, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$1,052,080.00, with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martn made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

- 11-R-0084 (9) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson and Joyce Sheperd **as substituted by City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 4 with Kemi Construction, Inc., for FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$817,600.00, with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember made a motion to approve on substitute)

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RESOLUTIONS (CONT'D)

- 11-R-0085 (10) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson and Joyce Sheperd **as substituted by City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 7 with Precision 2000, Inc., for FC-4943C, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$1,209,686.00, with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

- 11-R-0086 (11) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson and Joyce Sheperd **as substituted by City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 6 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$1,137,600.00, with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

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RESOLUTIONS (CONT'D)

- 11-R-0087 (12) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson and Joyce Sheperd **as substituted by City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 5 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$1,525,593.00, with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

- 11-R-0088 (13) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes.
(Councilmember Archibong made a motion to hold)

HELD

E. PAPERS HELD IN COMMITTEE

- 10-O-0939 (1) A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.
(Substituted and held 8/31/10) (Public Hearing held 9/21/10)

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-0940 (2) A **Substitute** Ordinance by City Utilities Committee to amend Article V of Chapter 154 of the Atlanta City Code Entitled "Sewage Disposal" (§154-196 et seq.); to create a fee for the issuance of an Industrial Wastewater Discharge Permit; to create a fee for Annual Inspections; and for other purposes. **(Held 6/15/10) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

HELD

- 10-O-1058 (3) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**

HELD

- 10-O-1059 (4) A **Substitute** Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations)

PAPERS HELD IN COMMITTEE (CONT'D)

Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

HELD

- 10-O-1688 (5) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to **abandon** the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14th District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

- 10-R-2004 (6) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 and to amend the Scope of Services, for FC-4718B, Annual Contract for Small Water Meters for the Bureau of Drinking Water with Kemi Construction, Inc. on behalf of the Department of Watershed Management/Bureau of Drinking Water in an amount not to exceed \$4,000,000.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 10-O-2116 (7) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board), of the City of Atlanta, Code of Ordinances so as to increase the number of members and revise the composition of the Water and Sewer Appeals Board; and for other purposes.
(Councilmember Shook made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 10-O-2117 (8) An Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board), of the City of Atlanta, Code of Ordinances to increase the amount paid to members of the Water and Sewer Appeals Board in a calendar year; and for other purposes.
(Councilmember Shook made a motion to approve)

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-2118 (9) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board), of the City of Atlanta, Code of Ordinances to allow customers to authorize the Water and Sewer Appeals Board to administratively review the basis of the dispute and decide upon the customer's appeal without requiring the customer to appear before the Board for the hearing; to allow a customer to have a minimum of three members to conduct a hearing or administrative review; and for other purposes. **(Councilmember Shook made a motion to approve as amended.)**

FAVORABLE AS AMENDED

- 10-R-2122 (10) A Resolution by City Utilities Committee authorizing the Mayor to enter into an Amendment Agreement No. 1, for the constructed Wetlands Project Cost Share Agreement located in McDaniel Branch with the United States Army Corps of Engineers ("USACE") to include an additional property located on Land Lot F0073 of the 14th (FF) District, Fulton County Georgia Parcel Number 14F-0073-LL-074-9 of the 14th (FF) District, Fulton County Georgia, Parcel Number 14F-0073-LL-074-9 in an amount not to exceed \$100,000.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes. **(Held 11/30/10 at department request.)**

HELD

- 10-R-2222 (11) A Resolution by Councilmember Felicia A. Moore authorizing the Mayor to execute Amendment Agreement Number 6 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, for the Simms Avenue and Johnson Road Curbing Projects, on behalf of the Department of Public Works, in an amount not to exceed \$78,496.20; all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Held 12/14/10 at the author's request.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-R-2223 (12) A Resolution by Councilmember Felicia A. Moore authorizing the Mayor to execute Amendment Agreement Number 5 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, for the Bolton Road/Marietta Boulevard Intersection Projects, on behalf of the Department of Public Works, in an amount not to exceed \$64,947.50; all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Held 12/14/10 at the author's request.)**

HELD

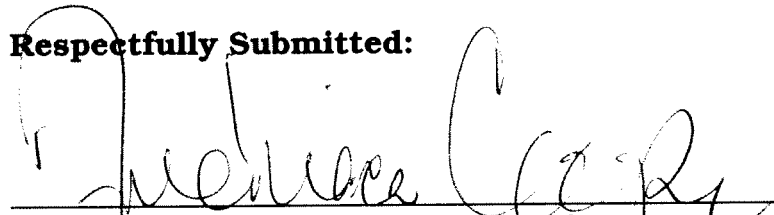
F. REQUESTED ITEMS

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2. Councilmember Shook requested a status report on the Auditor's recommendations.


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There being no further business to come before the Committee, the meeting was adjourned at 1:20 p.m.

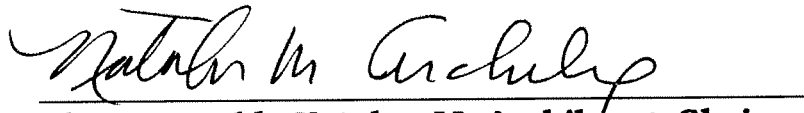
Respectfully Submitted:



Fredrica Cooper, Legislative Assistant



Alfred Berry, Jr., Research and Policy Analyst



The Honorable Natalyn M. Archibong, Chair
City Utilities Committee